

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE JUUL LABS, INC.,
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

Case No. 19-md-02913-WHO

**TRIAL TESTIMONY AND EXHIBITS
FROM THE VIDEOTAPED TESTIMONY
OF JOSE MURILLO PLAYED AT TRIAL**

This Document Relates to:

***San Francisco Unified School District v.
Juul Labs, Inc. et al., Case No. 3:19-cv-
08177***

Plaintiff, by and through its undersigned attorneys, hereby docket the following:

1. **Exhibit 1** is a report of the videotaped testimony of Jose Murillo that was played to the jury on May 4, 2023. The testimony in blue 00:11:02 and light blue 00:02:33 Plaintiff's affirmative and counter-counter designations.
2. **Exhibit 2**: is a *Joint Stipulation Identifying Trial Exhibits Used In Videotaped Depositions of Jose Murillo Played at Trial* that sets forth all of the Trial Exhibits from the videotaped testimony of Jose Murillo admitted into evidence by the Court.

Respectfully submitted,

By: /s/ Michael M. Weinkowitz

Michael M. Weinkowitz

LEVIN SEDRAN & BERMAN, LLP

510 Walnut Street

Suite 500

Philadelphia PA 19106

Telephone 215-592-1500

MWeinkowitz@lfsblaw.com

Plaintiff Steering Committee Member

Sarah R. London

Sarah R. London

LIEFF CABRASER HEIMANN & BERNSTEIN

275 Battery Street, Fl. 29

San Francisco, CA 94111

Telephone: (415) 956-1000

slondon@lchb.com

By: /s/ Dena C. Sharp

Dena C. Sharp

GIRARD SHARP LLP

601 California St., Suite 1400

San Francisco, CA 94108

Telephone: (415) 981-4800

dsharp@girardsharp.com

By: /s/ Dean Kawamoto

Dean Kawamoto

KELLER ROHRBACK L.L.P.

1201 Third Ave., Ste. 3200

Seattle, WA 98101

Telephone: (206) 623-1900

By: /s/ Ellen Relkin

Ellen Relkin

WEITZ & LUXENBERG

700 Broadway

New York, NY 10003

Telephone: (212) 558-5500

Co-Lead Counsel for Plaintiff

EXHIBIT 1

MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

Designation List Report



Murillo, Jose

2021-10-20

Murillo, Jose

2021-10-21

PLF AFFIRMATIVE

00:11:02

DEF COUNTER

00:06:10

PLF COUNTER-COUNTER

00:02:33

TOTAL RUN TIME

00:19:46



Documents linked to video:

MURILLO50019

MURILLO50020



MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
12:15 - 12:18	Murillo, Jose 2021-10-20_WIT	00:00:06	MJv6.1
12:15	Q. Sir, can you please tell us		
12:16	your name?		
12:17	A. My full name is Jose Luis		
12:18	Murillo.		
14:03 - 14:16	Murillo, Jose 2021-10-20_WIT	00:00:27	MJv6.2
14:03	Q. And, sir, you're currently		
14:04	employed by JUUL Labs Inc., right?		
14:05	A. Correct.		
14:06	Q. And what is your current		
14:07	position?		
14:08	A. Chief regulatory officer.		
14:09	Q. Is there anyone above you in		
14:10	the regulatory world at JUUL?		
14:11	A. No.		
14:12	Q. Is there anyone above you at		
14:13	all at JUUL?		
14:14	A. The CEO.		
14:15	Q. And who is that?		
14:16	A. K.C. Crosthwaite.		
48:09 - 48:15	Murillo, Jose 2021-10-20_WIT	00:00:19	MJv6.3
48:09	Q. And K.C. Crosthwaite is the		
48:10	current -- is he the current CEO of JUUL?		
48:11	A. Yes.		
48:12	Q. And he was brought over		
48:13	probably around a week before you from Altria		
48:14	to JUUL, correct?		
48:15	A. A week sounds about right.		
49:04 - 49:20	Murillo, Jose 2021-10-20_WIT	00:01:01	MJv6.4
49:04	Q. Do you have an understanding of		
49:05	why K.C. Crosthwaite wanted you to come be		
49:06	the chief regulatory officer at JUUL?		
49:07	A. I do.		
49:08	Q. And why is that?		
49:09	A. He approached me and said that		
49:10	he was in final negotiations to become the		
49:11	CEO of JUUL, and should he become the CEO of		
49:12	JUUL, he wanted me to consider coming over to		
49:13	lead regulatory and external affairs because		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	49:14 of our prior working relationship, my 49:15 experience in regulatory and external and 49:16 government affairs matters and the fact that 49:17 I had already been supporting JUUL Labs with 49:18 respect to regulatory matters under the 49:19 services agreement between JUUL Labs and 49:20 Altria.		
57:03 - 57:19	Murillo, Jose 2021-10-20_WIT 57:03 Q. During your time at Altria, 57:04 were you familiar with what was called 57:05 Project Tree? 57:06 A. Yes. 57:07 Q. And what was that? 57:08 A. Project Tree, to my 57:09 recollection, was a code name that was used 57:10 to refer to a possible Altria-JUUL 57:11 transaction. 57:12 Q. And during your time at Altria, 57:13 you were involved with the due diligence 57:14 related to the 35% purchase in JUUL, correct? 57:15 A. Indirectly involved in the 57:16 sense that I was not part of the due 57:17 diligence team, but I helped organize a due 57:18 diligence team and then was privy to at least 57:19 some of their results.	00:00:55	MJv6.5
59:15 - 59:19	Murillo, Jose 2021-10-20_WIT 59:15 Q. And during your time at Altria, 59:16 Greenleaf did perform some regulatory due 59:17 diligence analysis for the JUUL purchase, 59:18 correct? 59:19 A. Yes.	00:00:13	MJv6.6
61:02 - 61:10	Murillo, Jose 2021-10-20_WIT 61:02 Q. You also retained Greenleaf 61:03 once you got to JUUL, correct? 61:04 A. I did, yes. 61:05 Q. And why did you do that? 61:06 A. Yeah, I retained Greenleaf to 61:07 help with the JUUL PMTA and sort of JUUL 61:08 regulatory support generally. I thought that 61:09 they could be helpful as we sort of	00:00:29	MJv6.7


MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	61:10 accelerated our PMTA work.		
238:07 - 239:04	Murillo, Jose 2021-10-20_WIT 238:07 Q. And were you made aware during 238:08 your time at Altria that the people at 238:09 Greenleaf had -- had concerns that JUUL's 238:10 statements about youth initiation were not 238:11 lining up with its business plans? 238:12 A. I don't recall that, no. I 238:13 recall, as I said, concerns from Greenleaf 238:14 about their relative lack of experience, to 238:15 which I would add, you know, dealing with 238:16 the -- the youth prevention balance that is 238:17 embedded in the Tobacco Control Act through 238:18 the standard that we talked about of 238:19 balancing the benefits and the cons. But I 238:20 don't remember a statement like this. 238:21 Q. Altria retained Greenleaf 238:22 because, in theory, having ex-FDA people and 238:23 things like that, they're experts on 238:24 regulatory matters, correct? 238:25 A. Yes. 239:01 Q. I mean, they -- Altria wouldn't 239:02 have retained them if they didn't bring 239:03 expertise to the table; is that fair? 239:04 A. Yeah. As I said	00:01:13	MJv6.8
239:08 - 239:10	Murillo, Jose 2021-10-20_WIT 239:08 A. -- I made the recommendation to 239:09 retain Greenleaf. I just don't remember this 239:10 particular statement.	00:00:11	MJv6.9
245:07 - 245:09	Murillo, Jose 2021-10-20_WIT 245:07 Q. During your time at Altria, you 245:08 knew JUUL had a youth prevention problem, 245:09 right?	00:00:06	MJv6.10
245:12 - 245:20	Murillo, Jose 2021-10-20_WIT 245:12 A. I don't know what you mean by a 245:13 youth prevention problem, but certainly I 245:14 knew that JUUL products were reported as 245:15 being used by kids in numbers that were high. 245:16 BY MR. DEGREEFF:	00:00:29	MJv6.11

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	245:17 Q. Use of JUUL product -- high use 245:18 of JUUL product by kids is a problem, 245:19 correct, is it not? 245:20 A. Absolutely.		
409:19 - 409:19	Murillo, Jose 2021-10-21_WIT	00:00:03	MJv6.12
	409:19 Q. Okay. Let's do this. We're		
409:20 - 409:20	Murillo, Jose 2021-10-21_WIT	00:00:02	MJv6.13
	409:20 going to go to -- let's go to A65.		
409:25 - 410:01	Murillo, Jose 2021-10-21_WIT	00:00:08	MJv6.14
	409:25 Q. We'll mark this as the next -- 410:01 as the next exhibit, 50019.		
412:09 - 412:25	Murillo, Jose 2021-10-21_WIT	00:01:06	MJv6.15
 MURILLO5001 9.9.1	412:09 And so in regard to what's 412:10 actually in the letter itself, is the content 412:11 in the letter something that you were 412:12 familiar with or participated in helping to 412:13 draft? 412:14 A. Yes. 412:15 Q. Okay. All right. So at that 412:16 time in the -- in October of 2018, Altria had 412:17 evaluated the information that was available, 412:18 had looked at the letter that had been sent 412:19 by Commissioner Gottlieb, had had some time 412:20 to evaluate the claims made in Commissioner 412:21 Gottlieb's letter, and had come to the  MURILLO5001 9.9.2		
	412:22 conclusion that Altria was concerned about 412:23 these youth issues and that they were 412:24 concerned that that might jeopardize harm 412:25 reduction for adult smokers, correct?		
413:01 - 413:01	Murillo, Jose 2021-10-21_WIT	00:00:03	MJv6.16
	413:01 A. Yeah, I think that's right.		
413:02 - 414:07	Murillo, Jose 2021-10-21_WIT	00:01:18	MJv6.17
 MURILLO5001 9.9.3	413:02 Q. Okay. And Mr. Willard goes on 413:03 to note: We believe e-vapor products present 413:04 an important opportunity for adult smokers to 413:05 switch from combustible cigarettes.		


MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
 MURILLO5001 9.9.4	413:06 We've already talked about that		
	413:07 this morning, correct?		
	413:08 A. Yes.		
	413:09 Q. All right. Yet the current		
	413:10 situation with youth use of e-vapor products,		
	413:11 left unchecked, has the potential to		
	413:12 undermine the opportunity for adult smokers.		
	413:13 Correct?		
	413:14 A. Yeah, that's what the letter		
	413:15 says.		
	413:16 Q. All right. So there was a		
	413:17 concern by Mr. Willard, and I guess by the		
	413:18 folks that helped him draft this letter, that		
	413:19 this youth issue, this youth epidemic, if		
	413:20 left unchecked, could ruin or undermine or		
	413:21 limit the ability or opportunity for adult		
	413:22 smokers to get off combustion cigarettes,		
	413:23 correct?		
	413:24 A. Absolutely.		
	413:25 Q. Okay. And at the time, folks		
	414:01 at Altria, including you, as you've		
	414:02 mentioned, as really one of the main focuses		
	414:03 of your work over the years at Altria, was		
 MURILLO5001 9.9.5	414:04 you believed that long-term promise of		
	414:05 e-vapor products in harm reduction were		
	414:06 really important for adult smokers, correct?		
	414:07 A. Absolutely.		
414:08 - 414:13	Murillo, Jose 2021-10-21_WIT	00:00:16	MJv6.18
 MURILLO5001 9.9.6	414:08 Q. Okay. And because of that and		
	414:09 recognizing that this was a complex		
	414:10 situation, you were going to have -- Altria		
	414:11 was going to go ahead and take some immediate		
	414:12 actions, correct?		
	414:13 A. Yes.		
414:14 - 414:21	Murillo, Jose 2021-10-21_WIT	00:00:22	MJv6.19
 MURILLO5001	414:14 Q. All right. And part of that		
	414:15 was -- if you look at the bottom of the page,		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
9.9.7	<p>414:15 was -- if you look at the bottom of the page,</p> <p>414:16 the first arrow point -- that Altria would</p> <p>414:17 remove from the market our MarkTen Elite and</p> <p>414:18 Apex by MarkTen pod-based products until we</p> <p>414:19 receive a market order from the FDA or the</p> <p>414:20 youth issue is otherwise addressed. Correct?</p> <p>414:21 A. Yes.</p>		
415:03 - 415:09	Murillo, Jose 2021-10-21_WIT	00:00:24	MJv6.20
 MURILLO5001 9.9.8	<p>415:03 Q. Okay. And then you went on to</p> <p>415:04 also say that you would discontinue the sale</p> <p>415:05 of all other flavored variants of our</p> <p>415:06 cig-a-like products until we receive a market</p> <p>415:07 order from the FDA or the youth issue is</p> <p>415:08 otherwise addressed. Correct?</p> <p>415:09 A. That's right.</p>		
415:10 - 415:17	Murillo, Jose 2021-10-21_WIT	00:00:19	MJv6.21
 MURILLO5001 9.9.9	<p>415:10 Q. And that you would only sell</p> <p>415:11 tobacco, menthol and mint varieties, correct?</p> <p>415:12 A. Yes.</p>		
 MURILLO5001 9.9.10	<p>415:13 Q. Okay. And that Altria would</p> <p>415:14 support federal legislation to establish</p> <p>415:15 21 years old as the minimum age to purchase</p> <p>415:16 any tobacco product, correct?</p> <p>415:17 A. Yes.</p>		
416:09 - 417:01	Murillo, Jose 2021-10-21_WIT	00:00:55	MJv6.22
 MURILLO5001 9.10.1	<p>416:09 Q. As you go down the middle of</p>		
 MURILLO5001 9.10.2	<p>416:10 page 2, the middle paragraph states: Based</p> <p>416:11 on the publicly available information from</p> <p>416:12 the FDA and others, we believe that pod-based</p> <p>416:13 products significantly contribute to the rise</p> <p>416:14 in youth use of e-vapor products.</p> <p>416:15 Do you see that?</p> <p>416:16 A. Yes.</p> <p>416:17 Q. And that was the underlying</p> <p>416:18 reason why Mr. Willard committed to -- on the</p>		







MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
 MURILLO5001 9.9.7	416:19 first page, to removing from the market 416:20 Altria's pod-based products until he received 416:21 a market order from the FDA or the youth 416:22 issue was otherwise addressed, correct? 416:23 A. That's not exactly what the 416:24 letter says. I think he talks about taking 416:25 steps now to preserve long-term opportunity 417:01 in a complex situation.		
427:16 - 427:21  Clear	Murillo, Jose 2021-10-21_WIT 427:16 Q. All right. Now, you 427:17 participated in the actual meeting with 427:18 Commissioner Gottlieb, correct, that happened 427:19 earlier that month, in October 2018? 427:20 A. I think it was in October, but 427:21 the meeting that preceded the letter, yes.	00:00:16	MJv6.23
427:23 - 427:25	Murillo, Jose 2021-10-21_WIT 427:23 And you remember that Howard 427:24 Willard was there, correct? 427:25 A. Yes.	00:00:05	MJv6.24
428:23 - 429:04	Murillo, Jose 2021-10-21_WIT 428:23 Do you recall -- at the meeting 428:24 with Mr. Willard and Commissioner Gottlieb, 428:25 do you recall specific conversations 429:01 regarding the issues of pod-based products 429:02 being potentially one of the things that has 429:03 driven the rise in youth e-vapor products? 429:04 A. I do.	00:00:24	MJv6.25
429:05 - 429:11	Murillo, Jose 2021-10-21_WIT 429:05 Q. Do you recall a 429:06 discussion with Commissioner Gottlieb where 429:07 Mr. Willard and him talked about whether or 429:08 not there was enough concern to even consider 429:09 just banning pod-based devices or pod-based 429:10 products until a formal PMTA could be 429:11 granted?	00:00:22	MJv6.26
429:13 - 430:07	Murillo, Jose 2021-10-21_WIT 429:13 A. My recollection is that we had 429:14 an exchange about a number of things, and	00:01:21	MJv6.27

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	<p>429:15 I -- and Mr. Willard led the conversation. I</p> <p>429:16 was part of aspects of the exchange as well.</p> <p>429:17 And what I recall about pods</p> <p>429:18 was in trying to respond to their letter and</p> <p>429:19 our understanding that they wanted ideas as</p> <p>429:20 to what to do, we said, well, we have</p> <p>429:21 reviewed what is available to us and noticed</p> <p>429:22 a few things. And we had -- we made</p> <p>429:23 reference to the public reports, to FDA's own</p> <p>429:24 references to pods, to references to pod</p> <p>429:25 products by public health groups, and at</p> <p>430:01 least one analyst report, as I recall.</p> <p>430:02 And we essentially expressed</p> <p>430:03 the view that ultimately came to the letter,</p> <p>430:04 that we were considering withdrawing our pod</p> <p>430:05 products from the market, which were at their</p> <p>430:06 incipience, and stepping back and coming back</p> <p>430:07 in the context of a PMTA in due course.</p>		
432:10 - 432:14	Murillo, Jose 2021-10-21_WIT	00:00:16	MJv6.28
 MURILLO5001 9.1.1	<p>432:10 Q. So this is actually a</p> <p>432:11 letter that came from you, Mr. Murillo,</p> <p>432:12 correct, this March 26th, 2019 letter?</p> <p>432:13 A. These are comments to a docket</p> <p>432:14 that I signed on behalf of Altria.</p>		
432:15 - 432:20	Murillo, Jose 2021-10-21_WIT	00:00:14	MJv6.29
	<p>432:15 Q. Okay. Would you have</p> <p>432:16 participated in some way in the drafting of</p> <p>432:17 this document?</p> <p>432:18 A. I don't recall vis-`-vis</p> <p>432:19 drafting, but certainly I reviewed and</p> <p>432:20 approved it.</p>		
436:11 - 437:10	Murillo, Jose 2021-10-21_WIT	00:01:16	MJv6.30
 MURILLO5001 9.1.2	<p>436:11 Q. And in this document,</p> <p>436:12 Altria Client Services is actually -- at the</p> <p>436:13 bottom of the page, it kind of notes that</p> <p>436:14 when we use the words "we" and "our," we're</p> <p>436:15 referring to ALCS, correct?</p> <p>436:16 A. Right.</p>		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
 MURILLO5001 9.1.3	436:17 Q. Okay. So I just wanted to make		
	436:18 sure we got our terminology correct.		
	436:19 If we look at the paragraph		
	436:20 towards the bottom of the page where it says:		
	436:21 We also write to provide some context for our		
	436:22 actions, including purchase of a minority		
	436:23 interest in JUUL Labs, Incorporated, and to		
	436:24 urge others to take voluntary steps to		
	436:25 address youth e-vapor use. Both e-vapor		
	437:01 manufacturers and the FDA are critical to		
 MURILLO5001 9.2.1	437:02 address this problem.		
	437:03 So at least at this time, in		
	437:04 March of 2019, there was some understanding		
	437:05 at Altria Client Services that in order to		
	437:06 turn this youth e-vapor epidemic around, it		
	437:07 was going to require some cooperation between		
	437:08 the e-vapor manufacturers and the FDA,		
	437:09 correct?		
	437:10 A. Yes.		
	437:17 - 438:12 Murillo, Jose 2021-10-21_WIT	00:00:39	MJv6.31
 MURILLO5001 9.2.2	437:17 In September 2018, the FDA		
	437:18 announced that e-cigarette use among youth		
	437:19 has hit epidemic proportions. We -- that's		
	437:20 Altria Client Services -- reviewed the		
	437:21 publicly available data and concluded that,		
 MURILLO5001 9.2.3	437:22 1, youth e-vapor use was increasing at a		
	437:23 concerning rate.		
	437:24 Correct?		
 MURILLO5001 9.2.4	437:25 A. Yes.		
	438:01 Q. 2, that pod-based products		
	438:02 contribute to the problem. Correct?		
 MURILLO5001 9.2.4	438:03 A. Yes.		
	438:04 Q. That some public health reports		
	438:05 associate flavors in these products with		
	438:06 underage use. Correct?		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	438:07 A. Yes.		
 MURILLO5001 9.2.5	438:08 Q. And at the same time, flavors		
	438:09 play a critical role in migrating adult		
	438:10 smokers to noncombustible forms of tobacco.		
	438:11 Correct?		
	438:12 A. Yes.		
438:13 - 438:17	Murillo, Jose 2021-10-21_WIT	00:00:14	MJv6.32
 MURILLO5001 9.3.1	438:13 Q. And if you go to the top of the		
 MURILLO5001 9.3.2	438:14 next page, the youth e-vapor use issue is		
	438:15 driven, in large part, by social access.		
	438:16 Correct?		
	438:17 A. Yes.		
438:18 - 439:07	Murillo, Jose 2021-10-21_WIT	00:00:38	MJv6.33
 MURILLO5001 9.2.6	438:18 Q. And the reason I wanted to		
	438:19 bring this to your attention was this was in		
	438:20 March 26th of 2019, and this pretty much		
	438:21 follows what your thoughts were in October of		
	438:22 2018, correct?		
	438:23 I mean, it kind of, point by		
	438:24 point, are the same kind of thoughts Altria		
	438:25 had in October of 2018, correct?		
	439:01 A. Yeah, as it relates to that		
	439:02 paragraph for sure. We go on to talk about a		
	439:03 lot has happened since October of 2018,		
	439:04 hopefully in the right direction. But		
	439:05 absolutely, it tracks our -- the same mindset		
	439:06 we had at the time of the October letter at		
	439:07 this time.		
439:08 - 439:09	Murillo, Jose 2021-10-21_WIT	00:00:02	MJv6.34
 MURILLO5001 9.5.1	439:08 Q. If you go to		
	439:09 the bottom of page 5, it talks in here,		
439:10 - 439:25	Murillo, Jose 2021-10-21_WIT	00:00:48	MJv6.35
 MURILLO5001 9.5.2	439:10 Mr. Murillo, of a commitment to include an		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	<p>439:11 additional \$100 million investment over two</p> <p>439:12 years in underage tobacco prevention to</p> <p>439:13 specifically address e-vapor use. This</p> <p>439:14 support is in addition to the amount Altria</p> <p>439:15 invests annually in youth tobacco prevention</p> <p>439:16 efforts. We have asked the FDA for guidance</p> <p>439:17 as to how the 100 million may be best spent.</p> <p>439:18 So this is a commitment that --</p> <p>439:19 that Altria decided to make in March of 2019,</p> <p>439:20 above and beyond what they were already</p> <p>439:21 annually investing in youth prevention</p> <p>439:22 efforts?</p> <p>439:23 A. To be precise, the commitment</p> <p>439:24 was announced in February, but we're</p> <p>439:25 reporting it in this letter.</p>		
440:12 - 440:14	Murillo, Jose 2021-10-21_WIT	00:00:04	MJv6.36
	<p>440:12 This was something Altria</p> <p>440:13 decided to do on their own, correct?</p> <p>440:14 A. Right.</p>		
440:15 - 440:21	Murillo, Jose 2021-10-21_WIT	00:00:15	MJv6.37
	<p>440:15 Q. All right. And can you tell me</p> <p>440:16 today -- do you have some understanding as to</p> <p>440:17 how this money was spent or where that money</p> <p>440:18 went?</p> <p>440:19 A. I think at least some of it</p> <p>440:20 went to additional access control measures,</p> <p>440:21 but I don't remember beyond that.</p>		
440:22 - 441:12	Murillo, Jose 2021-10-21_WIT	00:00:45	MJv6.38
 Clear	<p>440:22 Q. Is it your understanding that</p> <p>440:23 that investment -- that Altria did invest</p> <p>440:24 that total amount in youth -- in tobacco</p> <p>440:25 prevention efforts? Did they end up spending</p> <p>441:01 all the money or did they just do part of it?</p> <p>441:02 Do you know what happened with that?</p> <p>441:03 A. I don't remember. And I left</p> <p>441:04 before the second part was supposed to be</p> <p>441:05 spent, so I don't know.</p> <p>441:06 Q. Okay. Did you have any</p> <p>441:07 oversight as to how that money was being</p> <p>441:08 spent, or was that some other department?</p>		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
	441:09 A. I may have been part of -- I'm		
	441:10 sure I was part of conversations as to how it		
	441:11 could be spent, but I was not responsible		
	441:12 directly for how the money was spent.		
462:19 - 462:22	Murillo, Jose 2021-10-21_WIT	00:00:10	MJv6.39
	462:19 But were you the one that		
	462:20 initially brought Greenleaf in to work on the		
	462:21 Project Tree issue?		
	462:22 A. Yes.		
464:05 - 464:08	Murillo, Jose 2021-10-21_WIT	00:00:12	MJv6.40
	464:05 MR. BLAUDEAU: And there's a		
	464:06 Bates stamp on this document as well		
	464:07 that we can reference,		
	464:08 ALGAT0004584798.		
464:25 - 465:04	Murillo, Jose 2021-10-21_WIT	00:00:12	MJv6.41
 MURILLO5002 0.1.1	464:25 Q. So this is a -- this is the		
	465:01 team from Greenleaf Health that was assigned		
	465:02 to Project Tree, correct?		
	465:03 A. For Altria and the diligence		
	465:04 team, yes.		
465:05 - 465:13	Murillo, Jose 2021-10-21_WIT	00:00:23	MJv6.42
	465:05 Q. Yes. And --		
	465:06 A. I'm sorry, that's what the		
	465:07 document said. I think I -- I have no		
	465:08 independent recollection of what the team		
	465:09 was, as I've mentioned now several times. I		
	465:10 retained them, I directed them through the		
	465:11 overall diligence team, and then I exited		
	465:12 because I did not want to be part of the		
	465:13 clean team.		
465:14 - 465:21	Murillo, Jose 2021-10-21_WIT	00:00:16	MJv6.43
	465:14 Q. And the only		
	465:15 reason I bring this up is because the ladies		
	465:16 and gentlemen of the jury may not really		
	465:17 understand what this entity does or how they		
	465:18 interact, and I just wanted to get some		
	465:19 context in about them.		
 MURILLO5002	465:20 So there's a core team here		

MJv6 - MURILLO, JOSE SFUSD FINAL_PLAYED 05-04-23

DESIGNATION	SOURCE	DURATION	ID
0.1.2	465:20 So there's a core team here 465:21 that lists several people.		
466:10 - 466:18	Murillo, Jose 2021-10-21_WIT	00:00:27	MJv6.44
 MURILLO5002 0.8.1	466:10 Q. So in looking through the		
 MURILLO5002 0.9.1	466:11 Greenleaf personnel, it seemed like a lot of 466:12 these folks had some significant ties, one		
 MURILLO5002 0.10.1	466:13 way or another, with the FDA. 466:14 Is that your understanding as		
 MURILLO5002 0.11.1	466:15 well, sir? 466:16 A. You said some of these folks?		
 MURILLO5002 0.12.1	466:17 Q. Yeah. Yeah. 466:18 A. Yes. That's right.		
582:19 - 582:20	Murillo, Jose 2021-10-21_WIT	00:00:03	MJv6.45
 Clear	582:19 MR. BLAUDEAU: Thank you, sir. 582:20 That's all I have. I appreciate it.		

PLF AFFIRMATIVE	00:11:02
DEF COUNTER	00:06:10
PLF COUNTER-COUNTER	00:02:33
TOTAL RUN TIME	00:19:46



Documents linked to video:

MURILLO50019

MURILLO50020

EXHIBIT 2

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE JUUL LABS, INC.,
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

Case No. 19-md-02913-WHO

**JOINT STIPULATION IDENTIFYING
TRIAL EXHIBITS USED IN THE
VIDEOTAPED DEPOSITION OF JOSE
MURILLO PLAYED AT TRIAL**

This Document Relates to:

***San Francisco Unified School District v.
Juul Labs, Inc. et al., Case No. 3:19-cv-
08177***

WHEREAS, Plaintiff called Jose Murillo, whose videotaped deposition was played to the jury.

WHEREAS, the exhibit numbers in the videotaped deposition are different from the Trial Exhibit numbers.

WHEREAS, to most efficiently clarify the record, the parties, by and through their undersigned counsel, hereby stipulate and agree that the chart below accurately reflects the deposition exhibits introduced during the videotaped testimony of Jose Murillo and the corresponding Trial Exhibit Numbers¹:

¹ The parties reserve all objections regarding these exhibits.

**JOINT STIPULATION IDENTIFYING TRIAL
EXHIBITS USED IN VIDEOTAPED
DEPOSITION**

**JOINT STIPULATION IDENTIFYING TRIAL
EXHIBITS USED IN VIDEOTAPED
DEPOSITION**

Respectfully submitted,

By: /s/ Beth A. Wilkinson

Beth A. Wilkinson (pro hac vice)
Brian L. Stekloff (pro hac vice)
James M. Rosenthal (pro hac vice)
Matthew R. Skanchy (pro hac vice)
Alysha Bohanon (pro hac vice)
WILKINSON STEKLOFF LLP
2001 M Street NW, 10th Floor
Washington, DC 20036
Telephone: (202) 847-4000
bwilkinson@wilkinsonstekloff.com
bstekloff@wilkinsonstekloff.com
jrosenthal@wilkinsonstekloff.com
mskanchy@wilkinsonstekloff.com
abohanon@wilkinsonstekloff.com

Moira K. Penza (pro hac vice)
WILKINSON STEKLOFF LLP
130 West 42nd Street, 24th Floor
New York, NY 10036
Telephone: 212-294-8910
mpenza@wilkinsonstekloff.com

By: /s/ John C. Massaro

**ARNOLD & PORTER KAYE
SCHOLER LLP**
John C. Massaro (admitted pro hac vice)
David E. Kouba (admitted pro hac vice)
601 Massachusetts Ave., N.W.
Washington D.C. 20001
Telephone: (202) 942-5000
Facsimile: (202) 942-5999
john.massaro@arnoldporter.com
david.kouba@arnoldporter.com

*Attorneys for Defendants ALTRIA
GROUP, INC., PHILIP MORRIS USA
INC., ALTRIA CLIENT SERVICES LLC,
ALTRIA GROUP DISTRIBUTION
COMPANY, and ALTRIA
ENTERPRISES LLC*

By: /s/ Michael M. Weinkowitz

Michael M. Weinkowitz
LEVIN SEDRAN & BERMAN, LLP
510 Walnut Street
Suite 500
Philadelphia PA 19106
Telephone 215-592-1500
MWeinkowitz@lfsblaw.com
Plaintiff Steering Committee Member

Sarah R. London

Sarah R. London
LIEFF CABRASER HEIMANN & BERNSTEIN
275 Battery Street, Fl. 29
San Francisco, CA 94111
Telephone: (415) 956-1000
slondon@lchb.com

By: /s/ Dena C. Sharp

Dena C. Sharp
GIRARD SHARP LLP
601 California St., Suite 1400
San Francisco, CA 94108
Telephone: (415) 981-4800
dsharp@girardsharp.com

By: /s/ Dean Kawamoto

Dean Kawamoto
KELLER ROHRBACK L.L.P.
1201 Third Ave., Ste. 3200
Seattle, WA 98101
Telephone: (206) 623-1900

By: /s/ Ellen Relkin

Ellen Relkin
WEITZ & LUXENBERG
700 Broadway
New York, NY 10003
Telephone: (212) 558-5500
Co-Lead Counsel for Plaintiff